

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
GUSTAVIA HOME, LLC,  
Plaintiff,

vs.

18-cv-6800 FB-SJB

CRIMINAL COURT OF THE CITY OF NEW  
YORK, FV-1, INC., IN TRUST FOR MORGAN  
STANLEY MORTGAGE CAPITAL HOLDINGS,  
NEW YORK STATE DEPARTMENT OF  
TAXATION AND FINANCE, NEW YORK CITY  
ENVIRONMENTAL CONTROL BOARD,  
TRANSIT ADJUDICATION BUREAU,

**NOTICE OF MOTION**

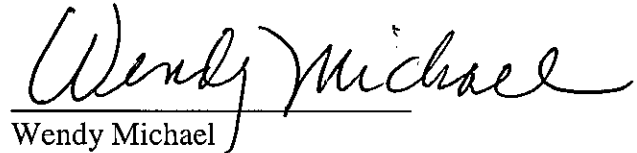
Defendants.

-----X

**PLEASE TAKE NOTICE** that, upon the annexed affirmation of Wendy Michael, Esq., dated February 8, 2019, and accompanying memorandum of law, dated February 8, 2019, being simultaneously served on counsel for Plaintiff, Gustavia Home, LLC, by counsel for Defendant FV-1, INC., IN TRUST FOR MORGAN STANLEY MORTGAGE CAPITAL HOLDINGS ("Defendant"), Defendant will move this Court in the United States District Court, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, at a time to be set by the Court, pursuant to Fed. R. Civ. P. 12(b)(1), for an order staying or dismissing the Complaint in its entirety, together with such other and further relief as this Court deems just and proper.

Dated: New York, New York  
February 8, 2019

GREENSPOON MARDER LLP

A handwritten signature in black ink that reads "Wendy Michael". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Wendy Michael  
590 Madison Avenue, 18th Floor  
New York, New York 10022  
(212) 524-5000

*Attorneys for Defendant*  
*FV-1, INC., IN TRUST FOR MORGAN*  
*STANLEY MORTGAGE CAPITAL*  
*HOLDINGS*

To: Danielle Paula Light, Esq.  
HASBANI & LIGHT, PC  
450 Seventh Avenue  
Suite 1408  
New York, NY 10123  
646-490-6677  
Fax: 347-491-4048  
Email: dlight@hasbanilight.com

*Attorneys for Plaintiff*  
*Gustavia Home, LLC*